Commissioner for Patents
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REMARKS/ARGUMENTS

Reconsideration of this application is respectfully requested.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner's indication that claims 6, 7, 12, 13, 18, 19, 22, 23, 28, 29, 32, and 33 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claim Rejections – 35 USC 102

Claims 1-5, 8-11, 14-17, 20, 21, 24-27, 30 and 31 stand rejected under 35 USC 102(e) as being allegedly anticipated by U.S. Patent 6,963,575 (Sistanizadeh).

As a preliminary matter, Applicant notes that U.S. Patent 6,963,575 was filed February 27, 2001 which was after Applicant's filing date of December 20, 2000. Therefore, technically speaking, only Sistanizadeh's provisional application 60/209,795 filed June 7, 2000 is citable under 35 USC 102(e). The disclosure of the provisional might not be equivalent to that of U.S. Patent 6,963,575. For the purpose of these remarks, however, Applicant will assume that the disclosure of the provisional is equivalent to that of the issued patent, but nonetheless reserves the right to prove otherwise.

Independent claims 1, 14 and 24 are rejected as being allegedly anticipated by the disclosure of a "backup mode" in column 15 of Sistanizadeh. However, this portion of Sistanizadeh's disclosure merely describes the Spanning Tree Protocol (STP). The STP provides a loop-free topology for any bridged LAN. In other words, networks have only one path to any destination active at any one point in time to prevent data frames from endlessly looping in the network. The STP provides spare (redundant) links to provide an alternate path if an active path fails. The STP ensures that only a single path to a destination is available by detecting loops and then blocking switch ports to eliminate loops.

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In contrast, Applicant's claimed invention (as claimed in independent claims 1, 14 and 24) entails maintaining a backup link in a dormant state between an interior router and a predetermined alternate area border router so that when a failure occurs in the network affecting communications between the primary area border router and the interior router, the previously dormant backup link can be activated. With respect, this is neither taught nor suggested by Sistanizadeh.

Specifically, with reference to claim 1, the passages of column 15 in Sistanizadeh fail to teach the steps of maintaining a backup link in a dormant state between an interior router and a predetermined alternate area border router and activating the backup link in response to a network failure to route traffic between the IR and the alternate ABR over the backup link.

It is respectfully submitted that nothing in Sistanizadeh teaches or suggests the claimed invention. Even if the E-POP switch 33 in Sistanizadeh is analogized to an interior router, then the area border router which is linked to the interior router would be the M-POP switch 41. However, as shown in Figure 2 of Sistanizadeh, there is no predetermined backup link provisioned between the E-POP switch 33 and a *predetermined alternate* M-POP switch maintained in a dormant state during normal operations. Therefore, there is nothing in this reference to either teach or suggest Applicant's claimed invention.

Applicant respectfully requests withdrawal of the rejections and favorable reconsideration.

Respectfully submitted,

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